



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** June 22, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Adella Gallegos, Assoc. Program Planner

**TITLE: CONSENT:** Special Use Permit for Specific Uses for Mining, Excavating, Processing, Stockpiling, and Distribution of Sand and Gravel (CSU-20100008)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the May 5, 2010 public hearing, the County Planning Commission voted 6-0 (Melendres excused) to recommend approval of a Special Use Permit for Mining, Excavating, Processing, Stockpiling, and Distribution of Sand and Gravel on Tract B, Plat of Survey of Property of Orlando Sanchez, located east of the Rio Puerco and north of I-40, zoned A-1, and containing approximately 559 acres. The decision was based on the following seven (7) Findings and subject to the following eight (8) Conditions.

#### **Findings:**

1. This is a request for approval of a Special Use Permit for Mining, Excavating, Processing, Stockpiling, and Distribution of Sand and Gravel on Tract B, Plat of Survey of Property of Orlando Sanchez, located east of the Rio Puerco and north of I-40, zoned A-1, and containing approximately 559 acres.
2. This request is a result of a violation in which the applicant has conducted excavating, removing, processing and stockpiling, and distribution of rock sand and gravel on the site without the proper zoning.
3. The property is located in the Reserve Area of the Albuquerque/Bernalillo County Comprehensive Plan.
4. This request is consistent with Resolution 116-86 in that the subject site is not located in a highly scenic or prime recreational, agricultural or residential area as articulated in Policy g of the Rural Area Section of the Albuquerque/Bernalillo County Comprehensive Plan.
5. This request is consistent with Resolution 116-86 in that the request is more advantageous to the community by providing construction materials and employment opportunities needed in the local economy.

6. The sand and gravel operation should not damage the site if the conditions imposed are followed and if the land rehabilitation requirements of Section 18.B.16. of the County Zoning Ordinance are met.
7. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The applicant shall submit a final grading and drainage plan, a Storm Water Pollution Protection Plan and a terrain management plan covering the land use for review and approval to the Bernalillo County Public Works Division with 60 days of the final Board of County Commissioners approval. A copy of the approval shall be submitted to the Zoning, Building, Planning and Environmental Health Department.
2. The applicant shall submit to the Public Works Division for review and approval a Traffic Scoping Report within 60 days of final Board of County Commissioners approval.
3. The applicant shall amend the first sentence on page 4 of the Operational Plan, B. Refueling Operations by replacing the reference to a 2000 gallon certified fuel to a 300 gallon certified fuel tank.
4. The applicant shall coordinate with the Bernalillo County Fire Marshal's Office on providing the proper water tank tie in for fire suppression within 60 days of final Board of County Commissioners approval.
5. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
6. The Special Use Permit shall be issued until October 17, 2017 (expiration of lease) agreement).
7. The applicant shall submit three copies of a revised site development plan consistent with the Conditions of approval, unless otherwise mentioned, for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners approval. The site plan shall include the following:
  - a. Identify the adjoining Laguna Pueblo property to the south in which the subject site utilizes as access on Sheet 2 of 3.
  - b. Amend Keyed Notes # 3 & #5 by adding (2), and deleting #16.
8. The applicant shall work diligently and expediently towards satisfying the Conditions of approval, unless a specific time is mandated. If Conditions of approval are not met within one year, the Special Use Permit shall be cancelled pursuant to the procedures in the Zoning Ordinance.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (May 10, 2010)
2. County Planning Commission Information Packet
3. Site Plan dated March 21, 2010 (Commissioners only)

## **STAFF ANALYSIS SUMMARY**

### **ZONING, BUILDING & PLANNING:**

Staff Recommends Approval